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SERVICE DATE - AUGUST 7, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 547X)

CSX TRANSPORTATION, INC.--ABANDONMENT
EXEMPTION--IN MUSKEGON COUNTY, MI

Decided: August 6, 1998

In a decision and notice of interim trail use or abandonment (NITU) served on August 14, 1997, a 180-day period was authorized for the Michigan Department of Natural Resources (MDNR) to negotiate an interim trail use/rail banking agreement with CSX Transportation, Inc. (CSXT) for a 10.13-mile portion of its Detroit Division, Montague Subdivision, extending from milepost 62.12 at Berry to milepost 72.25 at the end of track at Montague, including a 3.5-mile industrial lead track at Montague, a total of 13.63 miles, in Muskegon County, MI. By decision served March 10, 1998, the NITU negotiation period was extended an additional 180 days until August 9, 1998.

By letter-request filed August 5, 1998, the Michigan Department of Natural Resources (MDNR) seeks a 60-day extension of the NITU negotiation period, stating that an agreement is expected to be completed within 60 days. CSXT agrees to the extension.

Because an extension of the negotiation period will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d), and the parties agree on the necessity for the extension, the request will be granted. Accordingly, the NITU negotiation period will be extended until October 8, 1998.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. MDNR's request to extend the NITU negotiation period is granted.
2. The NITU negotiation period is extended until October 8, 1998.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary